

THE LAW OFFICE *of* CHRISTOPHER Q. DAVIS

WORKING SOLUTIONS NYC

April 17, 2017

VIA ECF

The Honorable Joan M. Azrack
United States District Court
Eastern District of New York
100 Federal Plaza, Courtroom 920
Central Islip, New York 11722

Re: Hartley, et al. v. Wells Fargo & Company, et al., Case No. 2:14-cv-05169

Dear Judge Azrack:

We represent the Plaintiffs in the above-referenced matter. We write jointly with Defendants' counsel, pursuant to Your Honor's request during the Final Fairness Hearing held on February 28, 2017, to provide a status update on the above referenced matter. *See* Dkt. No. 62.

Since the Final Fairness Hearing and as the parties advised the Court at the February 28, 2017 hearing, the parties met and conferred on the late claims submitted and agreed to a supplemental notice process conducted by the Claims Administrator, which allowed those individuals who submitted late claims to contact class counsel and pursue their late claims. Following this process, Wells Fargo has agreed to honor the late claims of each of the class members who responded to the supplemental notice. This agreement covers three (3) late claims totaling \$11,914.03. Wells Fargo will not dispute these claims even though it feels it has a strong basis under pertinent law, and the settlement agreement, to deny these claims. Wells Fargo does however, reserve their right to assert these arguments in the event approval is not granted.

Additionally, pursuant to the terms of the Settlement Agreement, Wells Fargo reviewed its' records, which revealed personal email addresses for 14 of the 25 class members whose initial notices were returned as undeliverable for a second time after performing skip traces on such addresses. On March 10, 2017, the Claims Administrator emailed the notices to these 14 people at their listed email addresses. The Claims Administrator has informed the parties that none of these 14 notices was returned as undeliverable, i.e., there was no indication that the email was invalid. To date, the Claims Administrator has not received a claim form or request for exclusion from any of these 14 individuals. The final deadline for such responses is April 24, 2017.

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Following this April 24, 2017 deadline, the parties will provide an update and confirm that the deadline has passed and that the claims process has been completed. At that point, the parties respectfully request that the Court grant final approval for the settlement and enter judgment.

Should the Court have any questions please do not hesitate to contact the undersigned.

Respectfully submitted,

By: /s/ Christopher Q. Davis
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